

**Remarks/Arguments**

Please reconsider the application in view of the above amendments and the following remarks.

**Disposition of Claims**

Claims 1-30 have been rejected. Claims 1 and 14 have been amended. Claims 1-30 remain pending.

**Objections**

The drawings are objected to because Figure 1 is not designated by a legend –Prior Art–. Applicant has corrected FIG. 1 in accordance with the examiner’s recommendation and requests approval of the corrected drawings.

**Rejections under 35 U.S.C. §112**

Claims 1-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite.

Claim 1 has been amended to clarify the cooperative relationship between the fiber splices and the optical fiber segments, namely, the optical fiber splices connect the optical fiber segments. Applicant submits that this amendment has been made to clarify the scope of the claim and does not narrow the claim. Applicant further submits that claim 1, as amended, recites an adequate cooperative relationship between the elements and requests that the rejection under 35 U.S.C. 112 be withdrawn.

**Rejections under 35 U.S.C. §102**

Claims 1-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Hernandez et al.

Applicant respectfully submits that Hernandez et al. do not identically disclose the apparatus recited in independent claims 1, 14 and 20. Hernandez et al. disclose an optic fiber holding plate 10 having channels 14, 16, 18 that retain optical coils during an annealing process. See Hernandez et al., col. 1, lines 62-63, and col. 2, lines 39-43. Hernandez et al. do not disclose a joint box for storing splices, as asserted in the Office action. Moreover, the holding plate 10 is structurally different from the apparatus of the present claimed invention and is not capable of storing splices in the same manner.

With respect to independent claim 1, Hernandez et al. do not disclose “a plurality of optical fiber splices” retained in an arcuate-shaped storage channel. Moreover, Hernandez et al.

do not disclose an arcuate-shaped storage channel that “is curved in a plane perpendicular to longitudinal axes of said splices stored in said channel,” as recited in amended independent claim

1. Thus, amended independent claim 1 is not identically disclosed by Hernandez et al.

With respect to amended independent claim 14, Hernandez et al. do not disclose an arcuate-shaped channel that “extends longitudinally in the direction of the longitudinal axis of the base.” Because the channels 14, 16 and 18 disclosed by Hernandez et al. are designed to retain coiled fiber, not splices, these channels 14, 16 and 18 are shallow and do not extend longitudinally. Thus, amended independent claim 14 is not identically disclosed by Hernandez et al.

With respect to independent claim 20, Hernandez et al. do not disclose “at least one arcuate-shaped storage channel extending generally longitudinally with respect to said center section for retaining a plurality of splices.” As mentioned above, the channels 14, 16 and 18 disclosed by Hernandez et al. are designed to retain coiled fiber and do not extend longitudinally. Moreover, Hernandez et al. disclose a fiber retaining device used during an annealing process, not a joint box, as recited in independent claim 20. Thus, independent claim 20 is not identically disclosed by Hernandez et al.

Because independent claims 1, 14 and 20, and all claims dependent therefrom, are not anticipated by Hernandez et al., applicant requests that the rejection of claims 1-30 under 35 U.S.C. 102(b) be withdrawn.

#### **Summary of Telephonic Interview**

Applicant appreciates the telephonic interview courteously granted by the examiner on December 19, 2003. In this interview, applicant’s attorney of record discussed the amendments and remarks made above. The examiner agreed that the proposed amendment to claim 1 appeared to overcome the rejection under 35 U.S.C. 112, second paragraph. The examiner also agreed that Hernandez et al. did not disclose splices or an apparatus capable of holding splices and that the proposed amendment appeared to distinguish over the prior art.

#### **Conclusion**

The claims have been shown to be allowable over the prior art. Applicant believes that this paper is responsive to each and every ground of rejection cited by the Examiner in the Action dated August 4, 2003, and respectfully requests favorable action in this application. The

examiner is invited to telephone the undersigned, applicant's attorney of record, to facilitate advancement of the present application.

Please apply any charges not covered, or any credits, to Deposit Account 04-0932 (Reference Number 1024). The applicant herewith petitions the Commissioner of Patents and Trademarks to extend the time for reply to the Office action dated August 4, 2003 for two (2) month(s). Please charge deposit account number 04-0932 (Reference Number 1024), in the amount of \$420 to cover the cost of the extension.. Any deficiency or overpayment should be charged or credited to the above numbered deposit account.

Respectfully submitted,

Date: 12-30-03

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